



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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3-11-03
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In re the Application of

Tadayuki TSUTSUI et al.

Group Art Unit: 1775

Application No.: 09/993,562

Examiner: M. Lavilla

Filed: November 27, 2001

Docket No.: 111223

For: MECHANICAL FUSE AND METHOD OF MANUFACTURING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

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Sir:

In reply to the February 11, 2003, Restriction Requirement, Applicants provisionally elects Group I, claims 1-10, with traverse.

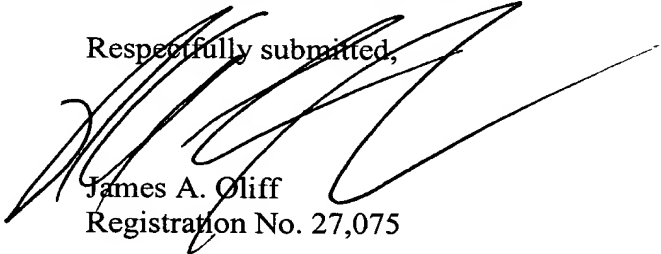
Claim 1 is directed to a mechanical fuse composed of Fe-based sintered alloy. Every feature of claim 1 is included in method claims 11-15. MPEP §821.04 states that: "if the elected invention is directed to the product, and the claims directed to the product are subsequently found patentable, process claims which either depend from or otherwise include all of the limitations of the allowable product will be rejoined." (Emphasis in original). Thus, upon allowance of product claims 1-10, method claims 11-15 must be rejoined and examined.

However, because method claims 11-15 include all of the limitations of claim 1, the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that

"if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: March 7, 2003

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